

**POLICE AND MEDICAL PERSONNEL:** All police and medical personnel may request to transmit their business over the air as long as it is race related.

**THE MEDIA:** You are to have absolutely no contact with the media. If a media person asks for information, politely refer him/her to a race official. They have a right to use the air for safety and health reasons, e.g. one of their people was bitten by a dog and needs medical attention. Flat tires, blown engines, or needed equipment are not valid emergencies.

**WHO TO CONTACT WITH QUESTIONS ON PROCEDURE:** If you have questions on procedure it can be transmitted over the air, but Net Control would prefer you check the manual first and then call by land line if possible. If unable; contact Net Control.

## VII - PERTINENT FCC REGULATIONS

### 97.110 Business communications prohibited

The transmission of business communications by an amateur radio station is prohibited except for emergency communications.

### 97.112 No remuneration for use of station

An amateur station shall not be used to transmit or receive messages for hire, nor for communication for material compensation, direct, paid or promised.

**97.113 Broadcasting and broadcast related activities prohibited.** An amateur station shall not be used to engage in any form of broadcasting, that is the dissemination of radio communications intended to be received by the public directly or indirectly or by intermediary relay stations.

### 97.114 Limitation on third-party traffic

(a) Subject to the limitations specified in paragraphs (b) and (c) of this section, and amateur radio station may transmit third-party traffic.

(b) The transmission or delivery of the following third-party traffic is prohibited:

(1) International third-party traffic except with countries that have assented thereto.

(2) Third-party traffic involving material compensation, either tangible or intangible, direct or indirect, to a third-party, a station licensee, a control operator or any other person.

(3) Except for emergency communications as defined in this part, third-party traffic consisting of business communications on behalf of any party.

**NOTE:** The above sections are only a portion of part 97 and all amateur radio operators are required to know part 97 in its entirety. FCC office in Washington has been contacted as late 12/12/91 about the Operational Procedures in this manual. NO problems are foreseen.



UNITED STATES OF AMERICA  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

NOTICE OF  
RADIO STATION CONDITIONS

FREQUENCY 7093.0 kHz -Assn		CALL SIGN AL7FJ	
EMISSION	DATE OBSERVED 3/ 7/91	TIME OBSERVED 4:01 PM AST	
LOCATION OF STATION OR NAME OF CRAFT CHUGIAK AK		RADIO SERVICE OR CLASS OF STATION HA	

SHARI RUNYAN  
HC80 BOX 5840  
CHUGIAK, AK 99567

NO REPLY  
IS NECESSARY

- ☐ Items are violations of the Commission's Rules detected during monitoring or an inspection. These items must be corrected promptly.
- ☒ Items 1 identify unsatisfactory or marginal conditions noted during monitoring or an inspection. We suggest you correct these items to avoid violations or operating problems.

PARTICULARS:

No Amateur station shall transmit communications concerning moving, supplying, and quartering observers and participants of a race for any sponsoring organization unless the principal beneficiary of such communications is the public and any benefit to the sponsoring organization is incidental. (Please refer to Section 97.113(a)(1) of the rules)

V910270-F910369

FCC OFFICE ADDRESS Federal Communications Commission 6721 W. Raspberry Rd. Anchorage, AK 99502 (907) 243-2153	DATE SERVED 3/19/91	ISSUING OFFICER  John J. Jones SUPERVISOR  Mariene S. Windel, EIC-AN
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CAUTION: Violations, if repeated or willful, may result in imposition of sanctions, including monetary fine, revocation or suspension of operating authority or prosecution. (See Section 501, 502, 503, 312, and 303 (m) of the Communications Act of 1934, as amended and Section 1.89 of the Commission's Rules.) We are retaining a copy of this notice.

(All previous editions of this form are canceled.)

Page 2, SHARI RUNYAN F910369

INTERCEPT: (COMMUNICATIONS IN PROGRESS ON 7093.0 KHZ) 4:01 PM AST

AL7FJ: "...OK, AH BE ADVISED THAT TED MATSON, MASTENSEN IS ON HIS WAY  
BACK"

AL7LW: "ALL RIGHT. GREAT. I APPRECIATE THAT INFORMATION. WITH PASSENGER  
I PRESUME"

AL7FJ: "AH, AFIRMATIVE"

AL7LW: "HE DID NOT LAND THEN. IS THAT CORRECT?"

AL7FJ: "YEH, HE DID LAND. HE'S HERE AND HE'S COMMING BACK THERE."

AL7LW: "OK, WAS, AH, DID YOU RECEIVE A MESSAGE THAT PASCAL IS TO REMAIN  
THERE IN MCGRATH?"

AL7FJ: "AH, NO WE DIDN'T"

AL7LW: "OK, HIS PASSENGER WAS PASCAL, A VETERINARIAN, PASCAL AND THE WORD  
IS SHE'S SUPPOSE TO WAIT THERE IN MCGRATH FOR DOMINIQUE BECAUSE  
SHE HAS HIS GEAR"

AL7FJ: "OK, WE COPY. ROGER, ROGER"

(COMMUNICATIONS CONTINUE)

AL7FJ: "YOU'R WELCOME LARRY. AL7FJ"

AL7LW: "AL7LW"

(END OF COMMUNICATIONS)



UNITED STATES OF AMERICA  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

NOTICE OF  
RADIO STATION CONDITIONS

FREQUENCY 7093.0 kHz -Assn		CALL SIGN AL7LW
EMISSION	DATE OBSERVED 3/ 7/91	TIME OBSERVED 4:01 PM AST
LOCATION OF STATION OR NAME OF CRAFT WILLOW AK		RADIO SERVICE OR CLASS OF STATION HA

LAWRENCE PLESSINGER  
POB 174  
WILLOW, AK 99688

NO REPLY  
IS NECESSARY

- ☐ Items are violations of the Commission's Rules detected during monitoring or an inspection. These items must be corrected promptly.
- ☒ Items 1 identify unsatisfactory or marginal conditions noted during monitoring or an inspection. We suggest you correct these items to avoid violations or operating problems.

PARTICULARS:

No amateur station shall transmit communications concerning the moving, supplying, and quartering observers and participants of a race for any sponsoring organization unless the principal beneficiary of such communications is the public and any benefit to the sponsoring organization is incidental. (Please refer to Section 97.113(a)(1) of the rules)

V910271-F910370

FCC OFFICE ADDRESS Federal Communications Commssn 6721 W. Raspberry Rd. Anchorage, AK 99502 (907) 243-2153	DATE SERVED 3/19/91	ISSUING OFFICER  John I. Jones SUPERVISOR  Marlene S. Windel, EIC-AN
--	------------------------	---

CAUTION: Violations, if repeated or willful, may result in imposition of sanctions, including monetary fine, revocation or suspension of operating authority or prosecution. (See Section 501, 502, 503, 312, and 303 (m) of the Communications Act of 1934, as amended and Section 1.89 of the Commission's Rules.) We are retaining a copy of this notice.

(All previous editions of this form are canceled.)

FCC Form 790

Page 2, LAWRENCE PLESSINGER F910370

INTERCEPT: (COMMUNICATIONS IN PROGRESS ON 7093.0 KHZ) 4:01 PM AST

AL7FJ: "...OK, AH BE ADVISED THAT TED MATSON, MASTENSEN IS ON HIS WAY BACK"

AL7LW: "ALL RIGHT. GREAT. I APPRECIATE THAT INFORMATION. WITH PASSENGER I PRESUME"

AL7FJ: "AH, AFIRMATIVE"

AL7LW: "HE DID NOT LAND THEN. IS THAT CORRECT?"

AL7FJ: "YEH, HE DID LAND. HE'S HERE AND HE'S COMING BACK THERE."

AL7LW: "OK, WAS, AH, DID YOU RECEIVE A MESSAGE THAT PASCAL IS TO REMAIN THERE IN MCGRATH?"

AL7FJ: "AH, NO WE DIDN'T"

AL7LW: "OK, HIS PASSENGER WAS PASCAL, A VETERINARIAN, PASCAL AND THE WORD IS SHE'S SUPPOSE TO WAIT THERE IN MCGRATH FOR DOMINIQUE BECAUSE SHE HAS HIS GEAR"

AL7FJ: "OK, WE COPY. ROGER, ROGER"

(COMMUNICATIONS CONTINUE)

AL7FJ: "YOU'R WELCOME LARRY. AL7FJ"

AL7LW "AL7LW"

(END OF COMMUNICATIONS)

*Draft*

Willow, Alaska  
March 31, 1991

Chief Engineer  
Federal Communications Commission  
Washington, D.C. 20554

Dear Sir,

This letter is provided as a response to the attached notice from the FCC office in Anchorage, Alaska. I understand that no reply was required, however I have chosen to reply for the following reasons.

1. I am an active, Extra Class amateur radio operator, and have been licensed for over thirty years. During that entire period I have made every attempt to comply with all FCC regulations, and maintain signal quality and operating standards far above the minimums. Until this incident, I have never had any indication from anyone, including the FCC, that my performance was marginal or sub-standard.

2. It is my opinion, and I believe a common opinion among the ham fraternity in Alaska, that the warnings and citations that resulted from this years' Iditarod race, are totally inappropriate. Hams have supported the Iditarod Race for many years with little, if any, criticism from the FCC. Then, shortly after the 1990 race, the FCC voiced some objections. Now, as a result of the ham activity during the 1991 race, citations are being issued, for seemingly meaningless incidents, that most hams feel are "not" violations of FCC rules. There are many who believe that the reason these citations are being issued, is that pressures from a few individuals, instigated some of the local FCC employees to detour from legitimate monitoring and enforcement activities, and start "reaching" for any reason, no matter how frivolous, in order to disrupt the long-standing practice of amateur radio support of one segment of the Alaskan "public", the Iditarod racers and volunteers.

#### EVENT OVERVIEW:

The Iditarod Sled Dog Race is an annual event during which approximately seventy mushers race their teams across an estimated 1050 miles of Alaskan wilderness, from Anchorage to Nome. Since there is limited or nonexistent communications facilities throughout most of the route, amateur radio operators have, for many years, volunteered their time and personal equipment to provide communications for the safety and well-being of the race participants and volunteers. There is no question that ham

operators' voluntary support of these races have resulted in the reduction of human and animal suffering, and on at least one occasion resulted in the saving of a human life.

During the 1991 Iditarod Race, I served as an unpaid volunteer ham-operator at the Rohn checkpoint. Rohn is an obscure spot on the map west of the Alaskan range, at the confluence of the Kuskokwim and Tatina rivers. Facilities at Rohn consist of a small one-room log-cabin, and a short, rough, unmaintained airstrip. The nearest telephone is in the Indian village on Nikolai, approximately 90 trail-miles away.

My transportation to/from Rohn was provided by unpaid, volunteer pilots, in their personal ski-planes. I provided my own equipment and clothing. For housing I used the cabin, which is the property of the Federal Government. I provided most of my own food, although some was provided by mushers (lightening their loads), and some was provided by the Iditarod Sled Dog Committee, for which I paid a fee.

FCC NOTICE & RESPONSE: (Copy of notice attached.)

NOTICE - No emission type has been identified.

RESPONSE - During the subject time period I used emission types AlA and J3E. I must assume from the alleged quotes on page two, that the emission type in this instance was J3E.

NOTICE - Middle initial omitted from addressee.

RESPONSE - Since the address and call sign are correct, and my son Lawrence is not an amateur operator, apparently the notice was in fact for me.

NOTICE - In the "Particulars:" section of the form, a portion of the Rule 97.113(a) (1) was quoted, but no indication was made as to what I did that was marginal.

RESPONSE - Rule 97.113(a) (1) also clearly states: "A station may, however, transmit communications to:

(1) Facilitate the public's safe observation of, or safe participation in, a parade, race, marathon or similar public gathering."

That is precisely what I was doing during the 1991 Iditarod.

NOTICE/RESPONSE - Federal Communications Comms sn. "Comms sn" is not a proper abbreviation.

NOTICE/RESPONSE - The Issuing Officer, John J. Jones, has no official title, but I don't doubt his familiarity with ham radio since I have seen him with ham radio equipment in an RCA Alascom commercial. Under the prevailing enforcement logic, if I were to appear on Television, in a business commercial with ham equipment, the FCC would lock me up and throw away the key.

NOTICE/RESPONSE - The Supervisor, Marlene S. Windel, EIC-AN omitted her middle initial in the handwritten signature. I must assume there is only one Marlene Windel.

NOTICE/RESPONSE - There is no indication that a second page is attached.

NOTICE/RESPONSE - On page two, there are the following deficiencies:

1. No official identification as having originated at the FCC.  
I cannot avoid wondering where it did originate.
2. No middle initial for the addressee.
3. No type of emission is indicated.
4. "Affirmative" spelled incorrectly.
5. "Coming" spelled incorrectly.
6. "Supposed" spelled incorrectly.
7. "You're" spelled incorrectly.

SUMMARY: Although I fail to understand what "marginal" operation is alleged, based on the information provided in this notice, A complete and proper understanding of the communications quoted cannot be achieved without knowing "the rest of the story". At the time of this communication, an unexpected "blizzard" was in progress west of the Alaskan range. Two "volunteer" pilots had made emergency landings at Rohn, and another had landed his "wheel" plane in the snow on a nearby lake. Ted Mastensen, another "volunteer" pilot was caught in this storm, and later landed safely at Rohn. Concern for any/all pilots flying in the area was foremost, and efforts had to be made, by the only communications available, ham radio, to locate everyone. Dominique and Pascal were "volunteer" French veterinarians. Pascal had made it to McGrath safely, but Dominiques' plane was caught in the storm and had to return to Rohn. However his gear (clothing, sleeping-bag, etc.) was on the earlier plane with Pascal. Now we have a native of another country, with limited knowledge of our language, culture or Alaska, sitting in a



cabin in the wilderness with no equipment. Granted, at that point in time Dominique was not yet in danger, and no emergency was declared. However he was a volunteer, a member of the human race, and a member of the "public" by the FCC's own definition. Therefore I cannot understand how or why anyone with a knowledge of FCC Rule 97.113 could interpret my communications in this instance as being "marginal".

For a more complete understanding of the extent of the problem you are advised that my wife, Brenda L. Plessinger, A L 7 L X, an Extra Class ham, also served as a volunteer at Rohn. As a result of her radio operation she received an "Official Notice of Violation" for two alleged infractions of FCC rules. One for stating that she could see doggies outside the window, and one for attempting to acquire eyeglasses for a racer. Let's review this a bit: Here we have a rookie musher, that must have eyeglasses to safely negotiate the trail. Granted he failed to bring a spare pair, but now he's 275 miles from home, with 800 miles of Alaskan winter, wilderness trail to travel. He's a non-paid, "public" competitor, who needs help, and the ham radio is the only help available. Here again, as with my citation, either I'm totally misinterpreting the FCC rules, or the person~~s~~ that issued that citation is confused.

I have always <sup>made</sup> ~~made~~ every attempt to be a model ham operator, therefore the allegation that I have performed below standard is very distressing. As I've indicated in the above comments, I don't feel I have been guilty of marginal operation. If I am incorrect in this conclusion, I would greatly appreciate a more definitive review of my errors, so that I can avoid any possibility of a reoccurrence.

The Iditarod Sled Dog Race is an annual event, which for many years has had the support of the Alaskan hams. Since there is little or no other communications available, this is an event in which there is a definite need for amateur radio support to safeguard the participants and volunteers. Therefore there is a critical need for the Alaskan ham community to be provided with valid information as to what communications are acceptable to the FCC. The generalizations that we receive from the Anchorage FCC office do not suffice.

I realize that in this letter I have been quite critical of the performance of some of the Anchorage FCC personnel. Being a realist, it is natural for me to expect that my radio activities will be "closely" monitored in the future. Therefore you will very likely receive future correspondence from me.

I appreciate your taking the time to read this letter, and I along with many other dedicated amateurs will appreciate any efforts on your part to resolve the enforcement problems with which we are faced.

Respectfully,

Lawrence R. Plessinger  
A L 7 L W

Attachments:

Citation - Lawrence R. Plessinger  
Citation - Brenda L. Plessinger

XC:

Federal Communications Commission - Anchorage  
Governor of Alaska, Walter Hickel  
Senator, Ted Stevens  
Senator, Frank Murkowski  
Congressman, Don Young  
Amateur Radio Operators:

A L 7 B P - Howard Shephard  
A L 7 F I - Rich Runyan  
A L 7 F J - Shari Runyan  
A L 7 K P - Sid Knutson  
A L 7 M M - Bill Beach  
A L 7 L X - Brenda Plessinger  
K L 7 A V S - Merritt Tegeler  
K L 7 G G - Mel Bowns  
K L 7 G I D - Gene Mockerman  
K L 7 H F A - Mike Johnnie  
K L 7 H H O - Wayne Groomer  
K L 7 I W F - Larry Volker  
K L 7 I X T - Mike Barbarick  
K L 7 K I - Bill Thomas  
K L 7 N R - Kathy Moody  
N L 7 E A - Hannah Kelliher  
N L 7 K U - Lois Harter  
N L 7 K U - Cathy Kirshner  
N L 7 M D - Dave Irwin  
N L 7 R A - Joan Beller  
N L 7 S G - Clare ~~Fickuhr~~  
N 5 F Y W - Keith Senrich  
W B 6 F L A - Dick Brownell

*A.R.R.L.  
Tom Jensen - Alascom*

*KH7EB - David Stevens*

United States of America  
FEDERAL COMMUNICATIONS COMMISSION  
6721 West Raspberry Road  
Anchorage, Alaska 99502

(907) 243-2153

OFFICIAL NOTICE OF VIOLATION

1. Name and Address of Licensee

EUGENE M MOCKERMAN  
POB 520442  
BIG LAKE, AK 99652

\* WRITTEN REPLY REQUIRED \*

**WARNING:** Violations, if repeated or willful, as well as your failure to reply to this notice, may result either in the imposition of monetary forfeitures, the revocation of your station license or suspension of operator license. (See Sections 503, 312, and 303(m) of the Communications Act of 1934, as amended and Section 1.89 of the Commission's Rules.)

(See Instructions and Privacy Act Notice on reverse side)

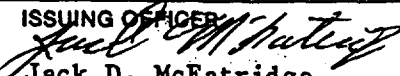
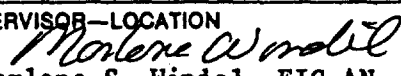
2. FREQUENCY				
2a. Authorized	2b. Measured	2c. High/Low (Hertz)	3. Emission	
3960.0 kHz				
4. Location of Station or Name of Craft	5. Radio Service or Class of Station	6. Hour(s) of Violation (EST-GMT)	7. Date(s) of Violation	8. Call Sign
BIG LAKE, AK	HA	11:50 AM AST	3/ 5/91	KL7GID

9. VIOLATION(S)

1. Section 97.113(a):

No amateur station shall transmit any communication the purpose of which is to facilitate the business or commercial affairs of any party.

(Continued on Page 2.)

ISSUING OFFICER  Jack D. McFatridge	SUPERVISOR-LOCATION  Marlene S. Windel, EIC-AN	DATE MAILED/SERVED 3/28/91
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The knowing and willful making of any false statement in reply to this NOTICE is punishable by fine or imprisonment under Title 18, United States Code, Section 1001.

(See Reverse Side)

V910278-F910387

## TO THE LICENSEE:

The facts set forth herein indicate that you have violated the requirements of law or treaty. This Notice is issued in accordance with Section 1.89 of the Commission's Rules.

1. Within 10 days from receipt of this Notice, a written reply shall be addressed to "Federal Communications Commission" and SENT TO THE ADDRESS SHOWN ON THE FACE HEREOF AT THE TOP OF THE PAGE. DO NOT address your reply to an individual.

### 2. MAKE CERTAIN THAT YOUR ANSWER:

- a. Fully explains each violation.
- b. Specifically describes the action taken to correct and to prevent continuation or recurrence of each violation.
- c. Is identified as a reply to this Notice. Include the *call sign* of your station so that your answer may be properly associated with the station file.
- d. Does not refer to a reply to another notice, but is complete in itself.
- e. Is dated and is signed by the licensee or, if appropriate, an officer of the licensee.
- f. Includes all the information requested above in addition to any other information requested in Items 3 and 4, below.

### 3. CHANGE OF ADDRESS:

If the address appearing in Block 1 on the face of this Notice is not your correct address for receipt of mail, include the correct address in your letter of reply to this Notice.

4. If an "X" appears in the box preceding any of the following instructions, comply with the instruction(s) so indicated and submit the information together with the above described letter.
  - ☐ a. State the name of the person who operated the transmitter at the time of the violation. Does this person hold an operator license or permit issued by the Federal Communications Commission?
  - ☐ b. A second copy of this notice is enclosed for the operator to answer the following questions thereon. That copy must then be submitted with the letter of reply described in Item 2 above from the person addressed on the face of this notice. **RETAIN THE ORIGINAL OF THIS NOTICE.**

I, the undersigned, was the operator on duty at the time of the violation noted hereon, and hereby acknowledge this NOTICE. I hold FCC-issued Radio Operator (Not Station) License or Permit as follows (if none, so state): \_\_\_\_\_

Number (If unnumbered, so state): \_\_\_\_\_

Issuance date: \_\_\_\_\_ Birth date: \_\_\_\_\_

Name (print): \_\_\_\_\_

Address: \_\_\_\_\_

Signature: \_\_\_\_\_

### NOTICE REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e) (3):

The staff will use all relevant and material information before it, including the information disclosed in your reply, to determine what, if any, enforcement action is required to ensure current and future Rule compliance.

Willful or repeated violation or failure to reply may result in a monetary forfeiture or license revocation.

INTERCEPT: (INITIAL COMMUNICATIONS ON 3940.0 KHZ)

11:50 A

AL7LX: "KL7GID KL7GID, THIS IS AL7LX."  
KL7GID: "AL7LX, KL7GID."  
AL7LX: "HI THERE, I WONDER IF WE MIGHT AH, MOVE UP A LITTLE BIT."  
KL7GID: "YOU BET-CHA, WHAT, 3960, IS THAT COMFORTABLE?"  
AL7LX: "SURE, THAT'S FINE WITH ME. AL7LX QSY."  
KL7GID: "OKAY, KL7GID QSY."

(COMMUNICATIONS SWITCH TO AND IN PROGRESS ON 3960.0 KHZ)

AL7LX: ". . . THAT WE GET THIS MESSAGE TO AH, TO THIS MUSER'S WIFE,  
AND SHE IS IN WASILLA SO I WONDERED IF MAYBE YOU COULD DO A  
PHONE PATCH?"  
KL7GID: "YOU BET-CHA, I'D LOVE TO, IT'S 11:50, GO AHEAD."  
AL7LX: "OKAY, THE TELEPHONE NUMBER, 373 7810, 373 7810, AND YOU'LL  
BE TALKING TO DONNA CONVERSE, DONNA CONVERSE, OVER."  
KL7GID: "OKAY."  
AL7LX: "AL7LX WILL BE STANDING BY, SEE HOW YOU MAKE OUT."  
KL7GID: "OKAY, I GOT IT. YOU WANT A PATCH BRENDA?"  
AL7LX: "AH ROGER, AH AND IF NOBODY'S HOME THEY HAVE A MESSAGE PHONE  
SO MAYBE YOU CAN GO AHEAD AND TAKE THE MESSAGE IN CASE."  
KL7GID: "OKAY, STAND BY JUST A MOMENT."  
KL7GID: "AL7LX, KL7GID."  
AL7LX: "KL7GID, AL7LX. GO AHEAD."  
KL7GID: "OKAY, I HAVE DONNA ON THE PATH AH, GO AHEAD."  
AL7LX: "OKAY, STAND BY JUST A MINUTE"

*True word from tape is  
"THERE"  
from KL7GID TAPE*

*True word is  
"PATCH"  
from KL7GID TAPE*

(THE FOLLOWING CONVERSATION IS BETWEEN CHRIS AND DONNA CONVERSE.  
CHRIS IS OPERATING FROM AL7LX, DONNA THROUGH KL7GID.)

AL7LX: "HELLO, OVER."  
KL7GID: "HI CHRIS, HAPPY BIRTHDAY, OVER."  
AL7LX: "THANK YOU. AH, I LOST MY AH, GLASSES UP ON RAINY PASS AND I  
NEED A REPLACEMENT FROM THERE AS SOON AS POSSIBLE. AH, YOU  
KNOW WHERE I GOT MY PRESCRIPTION . . . AND GO TO THAT PLACE  
IN ANCHORAGE THAT PUTS OUT GLASSES IN ONE HOUR . . . SEND  
THEM TO ME FEDERAL EXPRESS OR THE FASTEST WAY POSSIBLE, TO  
ME, IN CARE OF THE IDITAROD CHECKER IN MCGRATH. PUT ON THE  
PACKAGE THAT AH, REPLACEMENT EYE GLASSES FOR CHRIS CONVERSE,  
VERY IMPORTANT, OVER."

START OF KL7GID PHONE RECORDING

(COMMUNICATIONS CONTINUE. PHONE PATCH ENDS AT 11:57 AM.)

KL7GID: "AL7LX, KL7GID."

AL7LX: "KL7GID, AL7LX. THNAKS VERY MUCH."

KL7GID: "OKAY, LIKE ALWAYS, YOU NEVER KNOW QUITE WHAT'S GOING TO BE SAID NEXT. I TALKED WITH DONNA FOR A FEW MOMENTS AND WE'RE TRYING TO STAY AWAY FROM SOME OF THOSE THINGS BUT LOSING EYE GLASSES CERTAINLY IS IMPORTANT. OKAY, GLAD TO BE ABLE TO HELP. I'M GOING TO QRT FOR ABOUT AN HOUR BRENDA."

AL7LX: "OKAY, QRT, AND WON'T CALL YOU AGAIN . . . KL7GID, AL7LX."

KL7GID: "OKAY, I'LL LET YOU KNOW WHEN WE'RE BACK ON THE AIR, BYE BYE, KL7GID."

AL7LX: "AL7LX QSY."

(END OF COMMUNICATIONS)

TRUE WORDS  
ARE "Thank you  
very much  
from KL7GID TAPE"

Insert: "I" from KL7GID tape

Insert: "NOT TILL you're back on  
the air"  
from KL7GID TAPE

;                   TRANSCRIPT OF COMMUNICATIONS  
                  AL7LX & KL7GID  
                  March 5, 1991  
                  1150-57 AM

Transcribed from AKAI Reel to Reel and Lloyds Telephone Cassette Recorder  
Subject: Request for phone patch from Rohn to Wasilla, Alaska  
Recorded by Eugene M. Mockerman, KL7GID  
Reel One Side Two-Count 379 & Telephone Cassette/Log Sheet #18 3/5/91 1150AM

AL7LX: "Okay. Jim Kirshner suggested that-ah-that we get this message to-ah-  
to this musher's wife, and she is in Wasilla; so I wondered if maybe  
you could do a phone patch?"

KL7GID: "You betcha. I'd love to. It's 1150. Go ahead."

AL7LX: "Okay. The telephone number 373-7810 373-7810 and you'll be talking  
to Donna Converse Donna Converse. Over."

KL7GID: "Okay"

AL7LX: "AL7LX will be standing by. See how you make out."

KL7GID: "Okay. I got it. You want a patch Brenda?"

AL7LX: "Ah-Roger-ah- if nobody's there, they do have a message phone so  
maybe they can go ahead and take the message in case."

KL7GID: "Okay. Stand by just a moment."

KL7GID: "AL7LX KL7GID. Okay. I have Donna on the patch-ah-go ahead."  
(KL7GID to Donna, off the air:"Donna, are you copying alright?  
Okay you need to speak up a little bit louder when you do talk to  
him. No, not yet. He's not there yet."

Break: Recording was transferred from Reel to Reel to Telephone Recorder.  
The first part of the phone conversation was missed on the recorder.

Info: Chris Converse is on the patch at Rohn(AL7LX) and Donna Converse is  
on the patch at Wasilla through Big Lake(KL7GID).

Chris: ".....for Chris Converse-very important. Over"

KL7GID: "Go ahead Donna."

Donna: "How is your sled? Is your sled holding up to McGrath because you  
got your replacement sled there? I heard that you had trouble with  
your sled. Over."

Chris: "Don't worry about that. My repair's better than the original. I am  
doing a new technology here; but you got that about the glasses?  
Over."

Donna: "Yes. Okay-ah-you got a-you got a box waiting for you then in McGrath  
with your booties-two hundred booties,-ah-your bucket-metal bucket.  
I also sent some-ah-other things in there for you-for you tired  
muscles. Over."

Break: (KL7GID to Donna-off the air:"Okay-ah-Donna. You need to be very careful  
about information that you are giving him that would assist him on the  
trail-Okay?"

Donna:"Pardon?"

KL7GID:"I say, you need to be very careful about any information that  
you give him that will assist him on the trail, so that you're  
not, so that you won't be accused of helping him. Do you  
under..."

Donna: "Ohhhhh"

KL7GID: "Okay. So losing the glasses is an emergency, but the rest of  
it, I'm sure, it sounds like it's not. So you need to be  
very careful."

Donna: "Ohhhhhhh. Ohhhhhh. Okay. Okay. Alright."

KL7GID: "Okay. Go Ahead Donna." (On the air)

Donna: "Chris-ah-well Chris, have a good birthday-ah-happy 41, and I love you very much, and I'm praying for you; every evening I'm lighting a candle, saying special prayers for you and your dogs-that you'll arrive safely and that you'll have the strength and courage that you need to finish the race, and I'm sure a lot of other people are praying for you, too, and you know we may not be there, but our spirits will be there with you, praying for you, and -ah-I just-ah-hope that-ah-everything goes okay for you and that you are able to continue and finish the race. Ah-remember, don't worry about winning or losing. Just try to do your best and -ah-hang in there. Over."

Chris: "Okay. Thank you. Well, I'm out on this side-ah-I'll be looking for the glasses and thanks very much. Over."

KL7GID: "Okay. He says goodbye, Donna"

Donna: "Okay. Alright. Thank you."

KL7GID: "Okay. Thank you Donna. Bye Bye."

Donna: "Goodbye."

KI7GID: "AL7LX KL7GID"

AL7LX: "KL7GID AL7LX Thank you very much."

KL7GID: "Okay. Like always, you never know quite what's gonna be said next. Ah- I talked with Donna a few moments, and we tried to stay away from some of those things but losing his glasses certainly is-ah-important. Okay. Glad to be able to help. I'm gonna QRT for about an hour, Brenda."

AL7LX: "KL7GID AL7LX. Okay. QRT and I won't call you again. Not 'till you're back on the air."

KL7GID: "AL7LX KL7GID Okay. I'll let you know when we're back on the air anyhow. Bye Bye. KL7GID."

AL7LX: "AL7LX QSY."

End of Transcription

*Egon M. Mockman KL7GID*



Eugene M. Mockerman  
KL7GID  
P.O. Box 520442  
Big Lake, AK 99652

Federal Communications Commission  
6721 West Raspberry Road  
Anchorage, Alaska 99502

April 3, 1991  
Certified Mail

Reference: REPLY TO OFFICIAL NOTICE OF VIOLATION 3/28/91  
Date of Violation: 3/5/91  
Call Sign: KL7GID  
Frequency: 3.960 MHz  
Time: 1150 AM (AST)

Dear Sirs:

As an ARRL approved Net Manager of the 533 amateur radio operators belonging to the Alaska Motley Group and a volunteer examiner/instructor for the Anchorage Amateur Radio Club, Inc.-Volunteer Examiner Coordinator and a licensed amateur radio operator since 1967, I am well-acquainted with the FCC Rules and Regulations for the Radio Amateur Service Part 97.113.

It is my opinion and judgment that the Official Notice of Violation of Section 97.113(a) as set forth on Line 9 is unjustified for the following reasons:

1. The explicit purpose of the phone patch in question-requested by the Race Marshal, Jim Kirshner- from the Rohn checkpoint to Wasilla was to secure a replacement pair of prescription glasses for a race participant-Chris Converse. Mr. Converse had lost his prescription glasses at a check point 40 miles to the south and such loss endangered his continuance of the race.
2. The phone patch was requested because there is no other common-carrier or means of communications in Rohn-other than amateur radio service. The nearest radio-telephone is located 70 miles to the North at Nikolai or 115 miles to the South at Skwentna.
3. The information that the race participant, Chris Converse, gave to his wife, Donna, was vital to her rapid procurement of the glasses. According to the transcribed message you have provided on Page 2, F910387, Chris Converse does not mention the place where he got the glasses prescription, and he does not give the business name of the firm where glasses are made in one hour. He suggested sending the glasses by Federal Express or the fastest way possible in order to assist his wife to expedite the delivery to a check point where commercial postal service is available.
4. The information given in the phone patch communications was directly related to the welfare of the race participant-Chris Converse, and verified by the fact that the Race Marshal had requested the patch on the behalf of Chris Converse.

Reply to Notice of Violation  
Eugene M. Mockerman KL7GID  
April 3, 1991  
Page 2

5. The phone patch did not facilitate the business or commercial affairs of the Iditarod Trail Committee, nor the manufacturer of the glasses nor the Federal Express.

Webster's New Collegiate Dictionary:  
"Facilitate. "to make easier"

The phone patch information did facilitate Chris Converse's continued participation in the race.

6. The continued reading of Rule 97.113(a) provides the exception required to authorize the information given in the phone patch:

"A station may, however, transmit communications to:

(1) Facilitate the public's safe observation of, or safe participation in, a parade, race, marathon or similar public gathering. (Emphasis added)

Webster's New Collegiate Dictionary:  
"public a group of people having common interests or characteristics: SPECIF: the group at which a particular activity or enterprise aims"

Chris Converse was certainly a part of a group of people having common interests, and he was certainly aimed at a particular activity and he was certainly a public participant. The glasses were required for his safe participation in the race.


7. In summary, it is my opinion that Rule 97.113(a) was not violated as stated in the Official Notice of Violation, by AL7LX and KL7GID;

AND that: the exception allowed in Rule 97.113(a)(1) does apply to the contents and purpose of the intercepted phone patch.

In closing, be assured that I will diligently continue to observe and adhere to all of the provisions of Part 97 Rules and Regulations, Amateur Radio Service, to the best of my ability.

I look forward to your response in the near future.

Sincerely,

  
Eugene M. Mockerman KL7GID  
April 3, 1991

United States of America  
FEDERAL COMMUNICATIONS COMMISSION  
6721 West Raspberry Road  
Anchorage, Alaska 99502

(907) 243-2153

OFFICIAL NOTICE OF VIOLATION

*Received  
3/30/91*

1. Name and Address of Licensee

BRENDA PLESSINGER  
POB 174  
WILLOW, AK 99688

\* WRITTEN REPLY REQUIRED \*

**WARNING:** Violations, if repeated or willful, as well as your failure to reply to this notice, may result either in the imposition of monetary forfeitures, the revocation of your station license or suspension of operator license. (See Sections 503, 312, and 303(m) of the Communications Act of 1934, as amended and Section 1.89 of the Commission's Rules.)

(See Instructions and Privacy Act Notice on reverse side)

2. FREQUENCY				
2a. Authorized	2b. Measured	2c. High/Low (Hertz)	3. Emission	
3940.0 kHz				
4. Location of Station or Name of Craft	5. Radio Service or Class of Station	6. Hour(s) of Violation (EST-GMT)	7. Date(s) of Violation	8. Call Sign
ROHN, AK	HA	SEE BELOW	SEE BELOW	AL7LX

9. VIOLATION(S)

1. Section 97.113(a):

No amateur station shall transmit any communication the purpose of which is to facilitate the business or commercial affairs of any party.

2. Section 97.113(a)(1):

No amateur station shall transmit communications concerning moving, supplying and quartering participants for any sponsoring organization unless the principal beneficiary of such communications is the public and any benefit to the sponsoring organization is incidental.

(Continued on Page 2.)

ISSUING OFFICER	SUPERVISOR - LOCATION	DATE MAILED/SERVED
<i>Jack D. McFatridge</i> Jack D. McFatridge	<i>Marlene S. Windel</i> Marlene S. Windel, EIC-AN	3/28/91

The knowing and willful making of any false statement in reply to this NOTICE is punishable by fine or imprisonment under Title 18, United States Code, Section 1001.

(See Reverse Side)

V910273-F910372

## TO THE LICENSEE:

The facts set forth herein indicate that you have violated the requirements of law or treaty. This Notice is issued in accordance with Section 1.89 of the Commission's Rules.

1. Within 10 days from receipt of this Notice, a written reply shall be addressed to "Federal Communications Commission" and SENT TO THE ADDRESS SHOWN ON THE FACE HEREOF AT THE TOP OF THE PAGE. DO NOT address your reply to an individual.

### 2. MAKE CERTAIN THAT YOUR ANSWER:

- a. Fully explains each violation.
- b. Specifically describes the action taken to correct and to prevent continuation or recurrence of each violation.
- c. Is identified as a reply to this Notice. Include the *call sign* of your station so that your answer may be properly associated with the station file.
- d. Does not refer to a reply to another notice, but is complete in itself.
- e. Is dated and is signed by the licensee or, if appropriate, an officer of the licensee.
- f. Includes all the information requested above in addition to any other information requested in Items 3 and 4, below.

### 3. CHANGE OF ADDRESS:

If the address appearing in Block 1 on the face of this Notice is not your correct address for receipt of mail, include the correct address in your letter of reply to this Notice.

4. If an "X" appears in the box preceding any of the following instructions, comply with the instruction(s) so indicated and submit the information together with the above described letter.

- ☐ a. State the name of the person who operated the transmitter at the time of the violation. Does this person hold an operator license or permit issued by the Federal Communications Commission?
- ☐ b. A second copy of this notice is enclosed for the operator to answer the following questions thereon. That copy must then be submitted with the letter of reply described in Item 2 above from the person addressed on the face of this notice. **RETAIN THE ORIGINAL OF THIS NOTICE.**

I, the undersigned, was the operator on duty at the time of the violation noted hereon, and hereby acknowledge this NOTICE. I hold FCC-issued Radio Operator (Not Station) License or Permit as follows (if none, so state): \_\_\_\_\_

Number (If unnumbered, so state): \_\_\_\_\_

Issuance date: \_\_\_\_\_ Birth date: \_\_\_\_\_

Name (print): \_\_\_\_\_

Address: \_\_\_\_\_

Signature: \_\_\_\_\_

### NOTICE REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e) (3):

The staff will use all relevant and material information before it, including the information disclosed in your reply, to determine what, if any, enforcement action is required to ensure current and future Rule compliance.

Willful or repeated violation or failure to reply may result in a monetary forfeiture or license revocation.

3/4/91

INTERCEPT: (INITIAL COMMUNICATIONS ON 3940.0 KHZ)

9:26 AM

WD6FLA: "AL7LX AL7LX, WD6FLA."  
AL7LX: "WD6FLA, AL7LX."  
WD6FLA: "GOOD MORNING BRENDA AH, WOULD YOU BE ABLE TO TELL WHETHER OR NOT THEY'RE GOING TO BED DOWN THERE WITH YOU OR WHETHER THEY'RE GOING TO PUSH ON OUT AH, WITH ANY AH, REASONABLE, AH, WITHING THE REASONABLE FUTURE?"  
AL7LX: "AH, WE WILL TRY OUR BEST AH, BUT AH, WELL, WE'LL DO WHAT EVER WE CAN, OVER."  
WD6FLA: "ARE YOU QUITE A WAYS FROM WHERE THEY AH CAMP AND STOP FROM THE CHECKERS OR ARE YOU RIGHT NEAR?"  
AL7LX: "AH, WE'RE RIGHT NEAR, WE CAN LOOK OUT OUR WINDOW AND SEE LITTLE DOGGIES."  
WD6FLA: "ANY OF THEM LOOK LIKE THEY'RE MAKING CAMP?"  
AL7LX: "NOT YET, THEY ALL LOOK LIKE THEY'RE PRETTY BEAT RIGHT NOW."  
WD6FLA: "SO, IT'S A POSSIBILITY THEN THAT THEY MIGHT BE STAYING THERE, RIGHT?"  
AL7LX: "AH, AS FAR AS I KNOW, I, I HAVE NO WAY OF KNOWING THAT DICK, OVER."  
WD6FLA: "OKAY, WE'RE JUST TRYING TO AH, PHANTON A FEW THINGS OUT. THANKS MUCH BRENDA. . . (CONTS)."

(COMMUNICATIONS CONTINUE)

AL7LX: ". . . THANKS FOR THE SHOUT DICK. WD6FLA, AL7LX."  
WD6FLA: "WD6FLA."

(END OF COMMUNICATIONS)

3/5/91

INTERCEPT: (INITIAL COMMUNICATIONS ON 3940.0 KHZ)

11:50 AM

AL7LX: "KL7GID KL7GID, THIS IS AL7LX."  
KL7GID: "AL7LX, KL7GID."  
AL7LX: "HI THERE, I WONDER IF WE MIGHT AH, MOVE UP A LITTLE BIT."  
KL7GID: "YOU BET-CHA, WHAT, 3960, IS THAT COMFORTABLE?"  
AL7LX: "SURE, THAT'S FINE WITH ME. AL7LX QSY."  
KL7GID: "OKAY, KL7GID QSY."

(COMMUNICATIONS SWITCH TO AND IN PROGRESS ON 3960.0 KHZ)

AL7LX: ". . . THAT WE GET THIS MESSAGE TO AH, TO THIS MUSER'S WIFE, AND SHE IS IN WASILLA SO I WONDERED IF MAYBE YOU COULD DO A PHONE PATCH?"  
KL7GID: "YOU BET-CHA, I'D LOVE TO, IT'S 11:50, GO AHEAD."  
AL7LX: "OKAY, THE TELEPHONE NUMBER, 373 7810, 373 7810, AND YOU'LL BE TALKING TO DONNA CONVERSE, DONNA CONVERSE, OVER."  
KL7GID: "OKAY."  
AL7LX: "AL7LX WILL BE STANDING BY, SEE HOW YOU MAKE OUT."  
KL7GID: "OKAY, I GOT IT. YOU WANT A PATCH BRENDA?"

AL7LX: "AH ROGER, AH AND IF NOBODY'S HOME, THEY HAVE A MESSAGE PHONE  
SO MAYBE YOU CAN GO AHEAD AND TAKE THE MESSAGE IN CASE."  
KL7GID: "OKAY, STAND BY JUST A MOMENT."  
KL7GID: "AL7LX, KL7GID."  
AL7LX: "KL7GID, AL7LX. GO AHEAD."  
KL7GID: "OKAY, I HAVE DONNA ON THE PATH AH, GO AHEAD."  
AL7LX: "OKAY, STAND BY JUST A MINUTE"

(THE FOLLOWING CONVERSATION IS BETWEEN CHRIS AND DONNA CONVERSE.  
CHRIS IS OPERATING FROM AL7LX, DONNA THROUGH KL7GID.)

AL7LX: "HELLO, OVER."  
KL7GID: "HI CHRIS, HAPPY BIRTHDAY, OVER."  
AL7LX: "THANK YOU. AH, I LOST MY AH, GLASSES UP ON RAINY PASS AND I  
NEED A REPLACEMENT FROM THERE AS SOON AS POSSIBLE. AH, YOU  
KNOW WHERE I GOT MY PRESCRIPTION . . . AND GO TO THAT PLACE  
IN ANCHORAGE THAT PUTS OUT GLASSES IN ONE HOUR . . . SEND  
THEM TO ME FEDERAL EXPRESS OR THE FASTEST WAY POSSIBLE, TO  
ME, IN CARE OF THE IDITAROD CHECKER IN MCGRATH. PUT ON THE  
PACKAGE THAT AH, REPLACEMENT EYE GLASSES FOR CHRIS CONVERSE,  
VERY IMPORTANT, OVER."

(COMMUNICATIONS CONTINUE. PHONE PATCH ENDS AT 11:57 AM.)

KL7GID: "AL7LX, KL7GID."  
AL7LX: "KL7GID, AL7LX. THNAKS VERY MUCH."  
KL7GID: "OKAY, LIKE ALWAYS, YOU NEVER KNOW QUITE WHAT'S GOING TO  
BE SAID NEXT. I TALKED WITH DONNA FOR A FEW MOMENTS AND  
WE'RE TRYING TO STAY AWAY FROM SOME OF THOSE THINGS BUT  
LOSING EYE GLASSES CERTAINLY IS IMPORTANT. OKAY, GLAD TO  
BE ABLE TO HELP. I'M GOING TO QRT FOR ABOUT AN HOUR BRENDA."  
AL7LX: "OKAY, QRT, AND WON'T CALL YOU AGAIN . . . KL7GID, AL7LX."  
KL7GID: "OKAY, I'LL LET YOU KNOW WHEN WE'RE BACK ON THE AIR, BYE BYE,  
KL7GID."  
AL7LX: "AL7LX QSY."

(END OF COMMUNICATIONS)

Willow, Alaska  
April 1, 1991

Federal Communications Commission  
6721 W. Raspberry Rd.  
Anchorage, Alaska 99502

To Whom It May Concern,

This letter is provided as a response to the attached "Official Notice Of Violation" from your office.

During the 1991 Iditarod Race, I served as an unpaid volunteer ham-operator at the Rohn checkpoint. Facilities at Rohn consist of a small one-room log-cabin, and a short, rough, unmaintained airstrip. The nearest telephone is in the Indian village of Nikolai, approximately 90 trail-miles away.

My transportation to/from Rohn was provided by unpaid, volunteer pilots, in their personal ski-planes. I provided my own equipment and clothing. For housing I used the cabin, which is the property of the Federal Government. I provided most of my own food, although some was provided by mushers (lightening their loads), and some was provided by the Iditarod Sled Dog Committee, for which I paid a fee.

#### FCC NOTICE & RESPONSE:

Regarding the first alleged violation: During this communication, I made no comments which I feel were in violation of any FCC rule. I mean no disrespect for your office, or disregard for the rules, but I sincerely do not understand what I may have done wrong. Surely my comment that I could see a few dogies out the window cannot be construed as handling logistics traffic.

Regarding the second alleged violation. Here again I'm confused. FCC Rule 97.113(a)(1) states: "A station may, however, transmit communication to:  
(1) Facilitate the public's safe observation of, or safe participation in, a parade, race, marathon or similar public gathering."

A musher in the Iditarod Race is a "public" participant. Whether or not he has eyeglasses is of no concern to the Iditarod Sled Dog Committee. However his not having glasses could seriously jeopardize his safety. Therefore I feel my communications were necessary, appropriate, and in complete compliance with FCC regulations.

Prior to this years race, I was aware that there was concern and confusion as to what types of communications would be acceptable. Therefore I took a copy of the FCC rules with me to Rohn. There were occasions during the race when I was faced with request that caused me to review the rules, and in some cases refused to handle traffic. In most of those cases I did not refuse because I felt the traffic would actually violate FCC rules, but would violate the trail hams' guidelines to be super conservative. I made every effort to comply with the rules, and was quite surprised to receive a notice of violation. I am a relatively new ham, but am probably one of the more active hams in Alaska. I have an Extra Class license, which I had to work very hard to accomplish, because I had

no technical or CW background. I am a net-control station for the Alaska/Pacific net, the Alaska Bush net, the Motley Group, and the Snipers net. I am net manager for the Alaska Bush net, I'm the ARRL traffic manager for the State of Alaska, and Emergency Communications Coordinator for the Mat/Su valley. I feel I'm a dedicated ham. I try to maintain a high level of signal quality and operating standards. This hobby is important to me so I certainly don't wish to jeopardize my license. I will continue to try hard to comply with all FCC rules, and will appreciate any guidance you may choose to provide to assist me in doing so.

Sincerely,

Brenda L. Plessinger  
A L 7 L X